

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Monday, May 08, 2017

Hearing Room 1568

10:00 AM

2:15-22873 Rosa Maria Lecumberri-Vargas

Chapter 7

#1.00 Hearing re [46] and [53] status conference re Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 24813 Fries Avenue Carson, CA 90745

fr. 1-17-17; 3-14-17

Docket 0

***** VACATED *** REASON: PER ORDER ENTERED 3-8-17**

Tentative Ruling:

3/6/2017

Based upon the statue report filed by the Trustee, the hearing is CONTINUED to May 8, 2017 at 10:00 a.m. to determine the status of the remaining payment to the Trustee by the Debtor.

The hearing will be vacated if the Trustee files a non-opposition to the relief from stay motion filed by Deutsche Bank. The previously entered order denying relief from stay will be vacated.

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| Party Information |
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Debtor(s):

Rosa Maria Lecumberri-Vargas

Pro Se

Trustee(s):

John J Menchaca (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
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Monday, May 08, 2017

Hearing Room 1568

10:00 AM

2:17-11911 Dicran Garo Kuftedjian and Linda Torikian Kuftedjian

Chapter 7

#2.00 HearingRE: [20] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2011 MERCEDES-BENZ C300, VIN WDDGF5EB5BR177295 . (Wang, Jennifer)

Docket 20

Tentative Ruling:

Tentative Ruling:

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(2) to permit Movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. The Court finds that there is no equity in the subject vehicle and that the vehicle is not necessary for an effective reorganization since this is a chapter 7 case.

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt,

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Hearing Room 1568

10:00 AM

CONT... Dicran Garo Kuftedjian and Linda Torikian Kuftedjian Chapter 7

the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

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| Party Information |
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Debtor(s):

Dicran Garo Kuftedjian

Represented By
Edward C Tu

Joint Debtor(s):

Linda Torikian Kuftedjian

Represented By
Edward C Tu

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Monday, May 08, 2017

Hearing Room 1568

10:00 AM

2:17-12830 Golden Leopard Coach, LLC

Chapter 7

#3.00 HearingRE: [8] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2015 Mercedes-Benz Sprinter, VIN WD3PF4CC3F5956069 . (Kim, John)

Docket 8

Tentative Ruling:

Tentative Ruling:

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(2) to permit Movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. The Court finds that there is no equity in the subject vehicle and that the vehicle is not necessary for an effective reorganization since this is a chapter 7 case.

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt,

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Hearing Room 1568

10:00 AM

CONT... Golden Leopard Coach, LLC

Chapter 7

the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

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| Party Information |
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Debtor(s):

Golden Leopard Coach, LLC

Represented By
Sam X J Wu

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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Monday, May 08, 2017

Hearing Room 1568

10:00 AM

2:17-14145 Denisse Guzman

Chapter 7

#4.00 HearingRE: [7] Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 850 S. Vincent Ave. Apt. 16B Azusa, CA 91702 with Proof of Service. (Unruh, Carol)

Docket 7

Tentative Ruling:

Tentative Ruling:

As a preliminary note, the Bankruptcy Court retains jurisdiction in this case for the purposes of adjudicating the Motion and effectuating the dismissal. *See Aheong v. Mellon Mortgage Co. (In re Aheong)*, 267 B.R. 233, 239-240 & n. 8 (9th Cir. BAP 2002) (a bankruptcy court is authorized to grant relief from the automatic stay after the dismissal of a chapter 7 bankruptcy case); *see also In re Carraher*, 971 F.2d 327, 328 (9th Cir. 1992). Further, the Dismissal order states that the Court retains jurisdiction for any issues arising under 11 U.S.C. §362. Doc. No. 13.

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1). The stay is terminated as to the Debtor and the Debtor's bankruptcy estate with respect to the Movant, its successors, transferees and assigns. Movant may enforce its remedies to obtain possession of the property in accordance with applicable law, but may not pursue a deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The Debtor continues to occupy the property after failing to pay the monthly rent of \$1,300.00 beginning on December 1, 2016. The Movant filed an unlawful detainer action on January 20, 2017.

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CONT... Denisse Guzman

Chapter 7

This Motion has been filed to allow the Movant to proceed with the unlawful detainer proceeding in state court. The unlawful detainer proceeding may go forward because the Debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed. See In re Butler, 271 B.R. 867, 876 (Bankr. C.D. Cal. 2002).

This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. The 14-day stay prescribed by FRBP 4001(a)(3) is also waived, so as to avoid further delay in the unlawful detainer proceeding. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt, the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

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| Party Information |
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Debtor(s):

Denisse Guzman

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se